

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: A. Thurkauf et al.
Serial No. Not Yet Assigned **Group No.:** Not Yet Assigned
Filed: August 21, 2003 **Examiner:** Not Yet Assigned
For: AMINO METHYL IMIDAZOLES AS C5A RECEPTOR MODULATORS

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date **August 21, 2003** in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EV343734863US** addressed to the: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle Chicos

(type or print name of person mailing paper)

Michelle Chicos

Signature of person mailing paper

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: August 21, 2003

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, Applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. ☒ Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

- b. ☐ Some of the patents, publications or other information listed on the attached PTO-1449 was previously cited by or submitted to the USPTO in connection with____, to which the subject application claims the benefit of the earlier filing date. As such, a copy of each is not included herewith pursuant to 37 C.F.R. § 1.97(d).

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. ☒ Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. ☒ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- ☒ English translation for reference(s). (Abstract only of JP 9-291078)
- ☐ English translation of search report/official communication.
- c. The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. ☒ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e)below, or, if no certification has been made, charge our deposit account a fee in the amount of \$230.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

- ☐ before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).
- a. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. . § 1.17(p).
- or
- b. ☐ See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

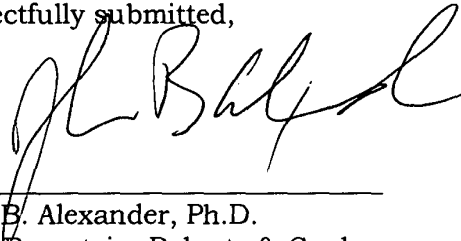
- a. ☐ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. FEE PAYMENT (check one)

- ☐ Enclosed please find a check in the amount of \$_____ for the above-indicated fee.
- ☐ Please charge Deposit Account No. 04-1105 in the amount of \$_____ for the above-indicated fee.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 04-1105.

Respectfully submitted,



Date: August 21, 2003

Tel. No. (617) 439-4444
Fax. No. (617) 439-4170

Customer No. 21874

John B. Alexander, Ph.D.
Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group
EDWARDS & ANGELL, LLP
P. O. Box 9169
Boston, MA 02209

| FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT | | DOCKET NO.: 58289 (72021) | | SERIAL NO.: Not Yet Assigned | | | |
|---|----|--|------------|------------------------------|--------------|----------|----------------------------------|
| | | APPLICANT(S): A. Thurkauf et al. | | | | | |
| | | FILING DATE: August 21, 2003 | | GROUP NO.: Not Yet Assigned | | | |
| UNITED STATES PATENT DOCUMENTS | | | | | | | |
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | AA | 2002/0019527 | 02/2002 | Wang et al. | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES/NO |
| | BA | WO 02/49993 A2 | 27.06.2002 | PCT | | | |
| | BB | WO 02/34745 A1 | 02.05.2002 | PCT | | | |
| | BC | JP 9-291078 | 11.11.1997 | JAPAN | | | Abstract only |
| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) | | | | | | | |
| | CA | Loozen et al., "6-Aza-, 6-Oxa- and 6-Thia-4, 5, 6, 7-Tetrahydrobenzimidazoles by Electrophilic Intramolecular Ring Closure of Imidazoles," <i>Department of Organic Chemistry, Eindhoven University of Technology</i> , Eindhoven, The Netherlands, Vol. 12, pp. 1039-1042 (1975). | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Examiner: | | | | | Date: | | |